

Order

Entered: September 11, 2003

Michigan Supreme Court
Lansing, Michigan

Administrative File No. 2003-47

IN RE PETITION FOR ADMINISTRATIVE
ORDER OR COURT RULE ESTABLISHING
INACTIVE ASBESTOS DOCKETING SYSTEM

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SC: 124213

On order of the Court, this is to advise that the Court is considering the following proposal: "Should the Michigan Supreme Court, under its general administrative power to control the procedures of all lower courts in the state, establish a court rule or administrative order creating a consolidated inactive asbestos docketing system for claimants with nonmalignant asbestos-related conditions who evidence no physical or functional impairment, whereby such claimants, upon discovery of such condition, may file a notice with the Wayne County Circuit Court and serve all defendants, thereby tolling the statute of limitations, and remain on the inactive docket until objective medical criteria indicate that the asbestos-related condition has developed into a physical injury?"

Before determining whether the proposal should be adopted, and what features an inactive asbestos docket should have, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal, or to suggest alternatives. The Court welcomes the views of all. In addition, this matter will be considered at a public hearing. Notices for such hearings are posted at www.courts.michigan.gov/supremecourt, along with instructions for reserving time to address the Justices in person.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal.

A copy of this order will be given to the secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on these proposals may be sent to the Supreme Court Clerk in writing or electronically by January 1, 2004, at P.O. Box 30052, Lansing, MI 48909, or MSC_clerk@courts.mi.gov. When filing a comment, please refer to Administrative File No. 2003-47. Your comments will be posted with the comments of others at www.courts.michigan.gov/supremecourt/resources/administrative/indexes/htm.



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 11, 2003

Angela J. Mayne
Deputy Clerk